

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Jonathan Stanley Harold Denyer      Docket: 102199-201  
Anthony Dyche  
Richard James Marsden

Serial No.: 09/930,582      Art Unit: 3761

Filed: August 15, 2001      Examiner: Michael G. Mendoza

Assignee: Medic-Aid Limited

Title: CONTROLLING DRUG DELIVERY APPARATUS

**Certificate of Mailing**

Date of Deposit May 28, 2004.

I hereby certify under 37 CFR 1.8(a) that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to Commissioner for Patents, U.S. Patent and Trademark Office, Washington, DC 20231.

Signed: William A. Simons

Name: William A. Simons

**REQUEST FOR STATUS**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The current status of the above-identified application is respectfully requested. Since the filing date, no communication has been received from the Patent and Trademark Office regarding this application except for a Notice of Recordation of the Assignment and Form PTO-103X.

On April 19, 2004, we faxed a 27 page package as explained below and as attached

hereto. That fax was received by the USPTO as evidenced by the attached Auto-Reply Facsimile Transmission.

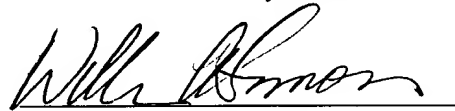
This April 19, 2004 fax was in furtherance to confirm an earlier February 26, 2004 Response to Final Rejection.

However, a check yesterday of the USPTO PAIR system and a telephone call to the listed SPE (Weilun Lo) indicated that neither the February 26, 2004 communication or the April 19, 2004 communication has been entered into the PAIR system. Thus, it is unclear if the USPTO ever properly docketed these papers.

Please note that both communications have included a Notice of Appeal which allows the application to remain alive. It is hoped that all extensions-of-time to file an Appeal Brief will be held in abeyance as a result of these lost papers.

Date: *May 28, 2004*  
Reg. No. 27,096

Respectfully submitted,  
Jonathan S.H. Denyer et al.

  
Signature of Attorney  
William A. Simons  
Wiggin and Dana LLP  
One Century Tower  
New Haven, CT 06508-1832  
Telephone: (203) 498-4502  
Facsimile: (203) 782-2889

\\10706\\54\\469223.1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Jonathan Stanley Harold Denyer      Docket: 102199-201  
Anthony Dyche  
Richard James Marsden

Serial No.: 09/930,582      Art Unit: 3761

Filed: August 15, 2001      Examiner: Michael G. Mendoza

Assignee: Medic-Aid Limited      Conf. No. 3302

Title: CONTROLLING DRUG DELIVERY APPARATUS

<p align="center">Certificate of Facsimile Transmission Mailing</p> <p>Date of Transmission: April 19, 2004</p> <p>I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being filed with the United States Patent and Trademark Office via facsimile transmission (703-872-9306) on the date shown above</p> <p>Signed: <u>William A. Simons</u></p> <p>Name: William A. Simons</p>
---

**LETTER**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-noted U.S. Patent Application, the outstanding Office Action was responded to on February 26, 2004 using the Certificate of Mailing procedure. The following documents were mailed that day to the U.S. Patent and Trademark Office (USPTO):

- (1) Amendment Transmittal Letter
- (2) Amendment and Reply to Office Action
- (3) Notice of Appeal
- (4) Self-addressed Return Postcard

These documents were received by the USPTO as evidenced by the date stamp on the return postcard. However, all of these documents had the wrong Serial Number on the document (i.e. "09/309,582") instead of the correct number provided above. The undersigned attorney regrets this error.

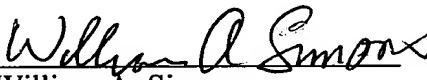
The undersigned attorney spoke to Examiner Mike Mendoza today handling this case who told me to fax the same documents to him along with same documents having the correct serial number thereon and a copy of the date-stamped return postcard.

Accordingly, please find all of those documents attached to this letter.

The undersigned attorney does not believe there should be any costs associated with the filing of these corrected papers, but if there is, please charge any additional fees to Deposit Account No. 23-1665.

If there are any questions, please contact the undersigned attorney at the numbers provided below.

Respectfully submitted,  
Jonathan Denyer, et al.

  
William A. Simons  
Reg. No. 27,096

Date: April 19, 2004  
Wiggin and Dana LLP  
One Century Tower  
New Haven, CT 06508-1832  
Telephone: (203) 498-4502  
Facsimile: (203) 782-2889

## Auto-Reply Facsimile Transmission



TO:

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Date Received:

4/19/2004 3:47:01 PM [Eastern Daylight Time]

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29 (including cover page)

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Received  
Cover  
Page

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04/19/2004 15:47 FAX 203 782 2889

WIGGIN & DANA 18

0001

Wiggin and Dana LLP  
One Century Tower  
P.O. Box 1832  
New Haven, Connecticut  
06508-1832  
203-498-4400  
203-782-2889 fax  
www.wiggin.com

WIGGIN AND DANA

*Counselors at Law*

### Telefax Transmittal

Date:  
April 19, 2004

To / Company / Telefax:  
Examiner Michael G. Mendoza / United States Patent and Trademark Office / 703-872-9306

From:  
William A. Simons

Telephone / Email:  
203.498.4502 / wsimons@wiggin.com

Client / matter code:  
/

Please copy:

We will copy:

This message is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure. If the reader of this message is not the intended recipient or an employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this message is strictly prohibited. If you have received this communication in error please notify us immediately by telephone and return the original message to us by mail. Thank you.

### Special Instructions

Applicants: Jonathan S.H. Denyer, Anthony Dychs, Richard J. Marsden  
Serial No.: 09/930,582 Conf. No.: 3302  
Filed: August 15, 2001 Att Unit: 3761  
Assignee: Medic-Aid Limited  
Title: CONTROLLING DRUG DELIVERY APPARATUS

1. Letter - 2 pages
2. Amendment and Reply to Final Action - 8 pages
3. Amendment Transmittal Letter - 3 pages
4. Notice of Appeal - 1 page
5. Copy of Postcard
6. Corrected Amendment and Reply to Final Action - 8 pages
7. Corrected Amendment Transmittal Letter - 3 pages
8. Corrected Notice of Appeal - 1 page
9. Corrected Postcard - 1 page

27 page(s) following this page

PAGE 1/29 \* RCVD AT 4/19/2004 3:47:01 PM [Eastern Daylight Time] \* SVR:USPTO-EFAXF-1/1 \* DNS:1729308 \* CSD:203 782 2889 \* DURATION (mm:ss):06:46

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\*\*\* TX REPORT \*\*\*  
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TRANSMISSION OK

TX/RX NO 2306  
CONNECTION TEL 917038729306  
CONNECTION ID  
ST. TIME 04/19 15:47  
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Wiggin and Dana LLP 203.498.4400  
One Century Tower 203.782.2889 fax  
P.O. Box 1832 www.wiggin.com  
New Haven, Connecticut  
06508-1832

WIGGIN AND DANA

*Counsellors at Law*

## Telefax Transmittal

Date:  
April 19, 2004

To / Company / Telefax:  
Examiner Michael G. Mendoza / United States Patent and Trademark Office / 703-872-9306

From:  
William A. Simons

Telephone / Email:  
203.498.4502 / wsimons@wiggin.com

Client / matter code:  
/

Please copy:

We will copy:

### Special Instructions

Applicants: Jonathan S.H. Denyer, Anthony Dyche, Richard J. Marsden  
Serial No.: 09/930,582 Conf. No.: 3302  
Filed: August 15, 2001 Art Unit: 3761  
Assistance: Medic-Aid Limited

This message is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure. If the reader of this message is not the intended recipient, please do not disseminate or use the information.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Jonathan Stanley Harold Denyer      Docket: 102199-201  
Serial No.: 09/309,582      Art Unit: 3761  
Filed: August 15, 2001      Examiner: Michael G. Mendoza  
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**Certificate of Mailing**

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Signed: 

Name: William A. Simons

**AMENDMENT TRANSMITTAL LETTER**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an amendment in the above-identified application. The fees have been calculated as shown below:

**1. Small Entity Status**☐

Applicant claims small entity status.

**2. Claim Fees**

CLAIM AMENDMENT FEE CALCULATION						
	Claims Remaining After Amendment	Minus	Highest Number Previously paid for	No. of extra claims present	Rate	Additional Fee
Total Claims		- 20		-20	\$18.00	
Independent Claims		-3		-3	\$86.00	
Multiple Dependent Claims (if any)				0	\$290.00	
SUBTOTAL					\$0.00	
	REDUCTION FOR SMALL ENTITY BY 50%					
TOTAL					\$0.00	

☒ No additional claim fees are required.

**3. Extension of Time**

☐ Applicant requests under the provisions of 37 CFR 1.136 (a) to extend the Period for filing a response in the above-identified application. The requested extension and appropriate non-small-entity fee are as follows:

Requested Extension	Fee	Small-Entity Fee
<input type="checkbox"/> One month	\$110.00	\$55.00
<input type="checkbox"/> Two months	\$420.00	\$210.00
<input type="checkbox"/> Three months	\$950.00	\$475.00
<input type="checkbox"/> Four months	\$1480.00	\$740.00
<input type="checkbox"/> Five months	\$2010.00	\$1005.00
Extension Fee Total		

**4. Terminal Disclaimer**

☐ A Terminal Disclaimer is attached for which the appropriate fee is:

☐ Non Small-Entity \$110.00

☐ Small Entity \$55.00

**5. The following additional items are enclosed:**

☐ Small Entity Statement

☒ Other: Notice of Appeal

**6. Payment of Fees**

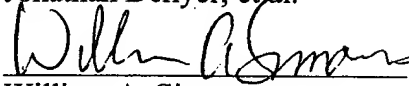
The total of fees due under Sections 1-4, above, is \$0.00.



- ☐ A check in amount of the total of fees due is attached.
- ☒ Please charge \$0.00. to Deposit Account No. 23-1665. Two additional copies of this transmittal are enclosed.
- ☒ Please charge any additional fees or credit overpayment to Deposit Account No. 23-1665.

Date: February 26, 2004  
Wiggin and Dana LLP  
One Century Tower  
New Haven, CT 06508-1832  
Telephone: (203) 498-4502  
Facsimile: (203) 782-2889

Respectfully submitted,  
Jonathan Denyer, et al.

  
William A. Simons  
Reg. No. 27,096

\\10706\\45\\451997.1

DOCKET 102199-201

MAILED February 26, 2004

APPLICANTS: J. Denyer, A. Dyche, R.  
Marsden

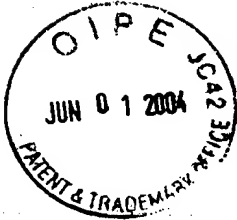
SERIAL NO. ~~09/309,582~~ 09/930,582

CONFIRMATION NO. 3302

FILING DATE August 15, 2001

TITLE: CONTROLLING DRUG DELIVERY APPARATUS

- X Amendment Transmittal Form (3 pgs)
- X Amendment and Reply to Office Action (8 pgs)
- X Notice Of Appeal (1 pg) (in duplicate)
- X Charge Deposit Account No. 23-1665 for \$330.00



DOCKET NO. 102199-201

MAILED February 26, 2004

APPLICANTS: J. Denyer, A. Dyche, R.  
Marsden

SERIAL NO. ~~09/309,582~~ 09/930,582

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PLEASE RETURN TO:

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